

REQUESTING THE PRESIDENT TO TRANSMIT TO THE
HOUSE OF REPRESENTATIVES DOCUMENTS RELATING
TO IRAQ'S DECLARATION ON ITS WEAPONS OF MASS DE-
STRUCTION

MARCH 18, 2003.—Referred to the House Calendar and ordered to be printed

Mr. HYDE, from the Committee on International Relations,
submitted the following

ADVERSE REPORT

[To accompany H. Res. 68]

The Committee on International Relations, to whom was referred the resolution (H. Res. 68) requesting the President to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the President's possession relating to Iraq's declaration on its weapons of mass destruction that was provided to the United Nations on December 7, 2002, having considered the same, reports unfavorably thereon without amendment and recommends that the resolution not be agreed to.

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PURPOSE AND SUMMARY

House Resolution 68 requests the President to transmit to the House of Representatives not later than 14 days after the date of its adoption documents in the President's possession relating to

Iraq's declaration on its weapons of mass destruction that was provided to the United Nations on December 7, 2002.

BACKGROUND AND NEED FOR THE LEGISLATION

House Resolution 68 is a resolution of inquiry, which pursuant to clause 7 of rule XIII of the Rules of the House of Representatives, directs the Committee to act on the resolution within 14 legislative days, or a privileged motion to discharge the Committee is in order. H. Res. 68 was introduced and referred to the Committee on International Relations on February 12, 2003, and was ordered reported adversely by the Committee on March 12, 2003.

Under the rules and precedents of the House, a resolution of inquiry is the means by which the House requests information from the President of the United States or the head of one of the executive departments. According to Deschler's Procedure it is a "simple resolution making a direct request or demand of the President or the head of an executive department to furnish the House of Representatives with specific factual information in the possession of the executive branch."

The United Nations Security Council adopted Resolution 1441, which directed the Government of Iraq to provide United Nations weapons inspectors with a complete and accurate declaration of all aspects of its chemical, biological and nuclear weapons programs, and ballistic missile systems, as well as information on other chemical, biological, and nuclear programs that were supposed to be for civilian purposes. Iraq submitted a Declaration to the Security Council on December 7, 2002. The complete text of that declaration was made available to each permanent member of the Security Council, including the United States.

In his remarks addressed to the House of Representatives when introducing the resolution of inquiry, the sponsor of House Resolution 68 requested that the "primary documents be transmitted in their complete and unedited form" to Congress. Subsequently, the Department of State transmitted a full and unedited copy of the declaration to the House. The Speaker directed the Permanent Select Committee on Intelligence to retain custody of the documents because it has the facilities to handle classified documents. The declaration, consisting of approximately 12,000 pages of documents, is classified SECRET and contains information relating to weapons design and weapons of mass destruction.

The declaration is available for review by Members, consistent with House Rule XXIII, the Code of Official Conduct, which governs access by Members to classified information. The declaration is also available for review by staff with appropriate security clearances who have executed a nondisclosure oath or affirmation.

Because the House had possession of the declaration, which the sponsor indicated he wanted transmitted to the House, prior to the Committee's markup, the Committee deemed the resolution to be moot and, accordingly, ordered it reported adversely by voice vote.

HEARINGS

The Committee did not hold hearings on H. Res. 68.

COMMITTEE CONSIDERATION

On March 12, 2003, the Committee met in open session and ordered unfavorably reported the resolution of inquiry H. Res. 68 without amendment by voice vote, a quorum being present.

VOTE OF THE COMMITTEE

The Committee held no recorded votes.

COMMITTEE OVERSIGHT FINDINGS

The Committee has no oversight findings or recommendations pursuant to clause 2(b)(1) of rule X of the Rules of the House of Representatives.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of House Rule XIII is inapplicable because H. Res. 68 does not provide new budgetary authority or increased tax expenditures.

COMMITTEE COST ESTIMATE

The Committee estimates costs will be minimal.

PERFORMANCE GOALS AND OBJECTIVES

The rule requiring a statement of performance goals and objectives is inapplicable because the resolution does not provide any funding.

NEW ADVISORY COMMITTEES

H. Res. 68 does not establish or authorize any new advisory committees.

CONGRESSIONAL ACCOUNTABILITY ACT

H. Res. 68 does not apply to the legislative branch.

FEDERAL MANDATES

H. Res. 68 provides no Federal mandates.